

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TYRICO BARNETT,

Plaintiff,

v.

CITY OF PHILADELPHIA, et al.,

Defendants.

CIVIL ACTION

NO. 19-4754-KSM

**ORDER**

AND NOW, this 29th day of October, 2020, upon consideration of Defendants City of Philadelphia, William J. Farrell, III, and Robin Song's Motions to Dismiss (Doc. Nos. 9, 25), Plaintiff Tyrico Barnett's response briefs (Doc. Nos. 12, 26), Defendants' reply (Doc. No. 14), the parties' oral arguments on the motion, and for the reasons set forth in the Memorandum, it is hereby **ORDERED** that Defendants' motions are **GRANTED in part**: Barnett's *Monell* claim is **DISMISSED without prejudice**, and Barnett's unlawful stop claim, his false arrest, false imprisonment, and malicious prosecution claims, and his *respondeat superior* claim are **DISMISSED with prejudice**. Defendants' motions are **DENIED** with respect to Barnett's bystander liability claim.<sup>1</sup>

**IT IS SO ORDERED.**

/s/KAREN SPENCER MARSTON

KAREN SPENCER MARSTON, J.

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<sup>1</sup> We also note that during oral argument, Defendants conceded that they did not move as to the Fourth Amendment search claim, so that claim may proceed as well.